Approved for use through 07/31/2006, OMB 0651-0032 U.S. Patent and Trademark Office. U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. 1830CONDIVCON3(203-1742CONDIVCON3 Attorney Docket No. UTILITY Sherts et al. PATENT APPLICATION First Inventor SURGICAL RETRACTOR TRANSMITTAL Title EL983569021US (Only for new nonprovisional applications under 37 CFR 1.53(b)) Express Mail Label No. Mail Stop Patent Application **APPLICATION ELEMENTS** Commissioner for Patents ADDRESS TO: P.O. Box 1450 See MPEP chapter 600 concerning utility patent application contents. Alexandria VA 22313-1450 CD-ROM or CD-R in duplicate, large table or 1. Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing) Computer Program (Appendix) Applicant claims small entity status. Nucleotide and/or Amino Acid Sequence Submission See 37 CFR 1.27. (if applicable, all necessary) 3. 🔽 Specification [Total Pages_ Computer Readable Form (CRF) (preferred arrangement set forth below) Descriptive title of the invention Specification Sequence Listing on: Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D CD-ROM or CD-R (2 copies); or - Reference to sequence listing, a table, or a computer program listing appendix Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) Statements verifying identity of above copies Detailed Description **ACCOMPANYING APPLICATION PARTS** - Claim(s)
- Abstract of the Disclosure Assignment Papers (cover sheet & document(s)) 4. Drawing(s) (35 U.S.C. 113) [Total Sheets 37 CFR 3.73(b) Statement ☐ Power of 10. I (when there is an assignee) Attorney [Total Sheets _ 5. Oath or Declaration 11. English Translation Document (if applicable) a. Newly executed (original or copy) Copies of IDS Information Disclosure 12. Statement (IDS)/PTO-1449 Citations Copy from a prior application (37 CFR 1.63(d)) 13. **Preliminary Amendment** (for continuation/divisional with Box 18 completed) 14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized) **DELETION OF INVENTOR(S)** Certified Copy of Priority Document(s) 15. Signed statement attached deleting inventor(s) (if foreign priority is claimed) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. Application Data Sheet. See 37 CFR 1.76 17. Other: Check in the amount of \$770,00 18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76: of prior application No.: 1.0/.1.53.385....... Continuation ■ Divisional Continuation-in-part (CIP) Examiner Anu Ramana Art Unit: 3732 Prior application information: For CONTINUATION OF DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts. 19. CORRESPONDENCE ADDRESS **Customer Number:** OR Correspondence address below Name Mark Farber, Esq. U.S. Surgical, A Division of Tyco Healthcare Group. LP **Address** 150 Glover Avenue City State Zip Code Norwalk Connecticut 06856 Country Telephone 203-845-1000 Fax US 203-846-5988 Name (Print/Type) IEdward C. Meagher Registration No. (Attorney/Agent) 41,189 Signature Date March 26, 2004 CERTIFICATION UNDER 37 C.F.R. § 1.10 I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service on date below in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EL983569021US addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Edward C. Weagher

Dated: March 26, 2003

PTO/SB/17 (10-03) Approved for use through 07/31/2006, OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid CMB control number. Complete if Known FEE TRANSMITTAL Application Number Filing Date March 26, 2004 for FY 2004 Sherts et al. First Named Inventor Effective 10/01/2003. Patent fees are subject to annual revision. **Examiner Name** Applicant claims small entity status. See 37 CFR 1.27 Art Unit **TOTAL AMOUNT OF PAYMENT** (\$)770.001830CONDIVCON3(203-1742CONDIVCON3) Attorney Docket No. METHOD OF PAYMENT (check all that apply) FEE CALCULATION (continued) Money Order 3. ADDITIONAL FEES ✓ Check Credit card Other None Large Entity , Small Entity ✓ Deposit Account: Fee Fee **Fee Description** Deposit Code (\$) Code (\$) Fee Paid 50-2140 Account 2051 1051 130 65 Surcharge - late filing fee or oath Number Deposit 2052 25 Surcharge - late provisional filing fee or 1052 Carter, DeLuca, Farrell & Schmidt, LLP 50 Account cover sheet Name 1053 130 1053 130 Non-English specification The Director is authorized to: (check all that apply) 1812 2,520 1812 2,520 For filing a request for ex parte reexamination Credit any overpayments Charge fee(s) indicated below 920* Requesting publication of SIR prior to 1804 920 1804 ✓ Charge any additional fee(s) or any underpayment of fee(s) Charge fee(s) indicated below, except for the filing fee 1805 1.840 1805 1.840* Requesting publication of SIR after Examiner action to the above-identified deposit account. 1251 110 2251 Extension for reply within first month **FEE CALCULATION** 210 Extension for reply within second month 1252 420 2252 1. BASIC FILING FEE 1253 950 2253 475 Extension for reply within third month arge Entity Small Entity Fee Paid Fee Description Code (\$) 1254 1.480 2254 740 Extension for reply within fourth month Code (\$) 1,005 Extension for reply within fifth month 1255 2,010 2255 1001 770 2001 385 Utility filing fee 770.00 1401 330 2401 165 Notice of Appeal 1002 340 2002 170 Design filing fee 1402 330 2402 165 Filing a brief in support of an appeal 2003 265 1003 530 Plant filing fee 145 Request for oral hearing 1403 290 2403 1004 770 2004 385 Reissue filing fee 1451 1,510 1451 1,510 Petition to institute a public use proceeding 1005 160 2005 Provisional filing fee 1452 110 2452 55 Petition to revive - unavoidable **SUBTOTAL (1)** (\$) 770.00 2453 1453 1,330 665 Petition to revive - unintentional 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE 1501 1.330 2501 665 Utility issue fee (or reissue) Fee from Ext<u>ra Claim</u>s ms below X 18.00 1502 480 2502 240 Design issue fee **Total Claims** 0.00 -20** = 1503 640 2503 320 Plant issue fee Independent x | 86.00 = 0.00- 3** = 0 1460 130 1460 130 Petitions to the Commissioner Multiple Dependent 290.00 1807 50 1807 50 Processing fee under 37 CFR 1.17(q) Large Entity Small Entity 180 Submission of Information Disclosure Stmt 180 1806 1806 Fee Fee Fee Fee Fee Description 40 Recording each patent assignment per Code (\$) Code (\$) 8021 40 8021 property (times number of properties) 1202 Claims in excess of 20 2202 9 18 385 Filing a submission after final rejection (37 CFR 1.129(a)) 770 1809 2809 1201 86 2201 43 Independent claims in excess of 3 385 For each additional invention to be examined (37 CFR 1.129(b)) 1203 290 2203 145 Multiple dependent claim, if not paid 1810 770 2810 1204 86 2204 43 ** Reissue independent claims over original patent 1801 770 2801 385 Request for Continued Examination (RCE) ** Reissue claims in excess of 20 1802 900 1802 900 Request for expedited examination 1205 18 2205 and over original patent of a design application Other fee (specify) $(\$)^{0.00}$ SUBTOTAL (2) *Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 0.00 **or number previously paid, if greater; For Reissues, see above SUBMITTED BY (Complete (if applicable) Registration No. Name (Print/Type) Edward C. Meagher 41,189 Telephone (631) 501-5708 (Attornev/Agent) March 26, 2004 Date Signature CERTIFICATION UNDER 37 C.F.R. § 1.10 I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service on date below in an envelope as "Express Mail Post Office to Addressee" Mail Cabel Number EL983569921US addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: March 26, 2004

Edward Meagher